



#4/4 4/24/03 2642

Petitioner's Docket No. 9889.6815

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey N. Weiss

Group No.: 2642

Serial No.: 09/848,753

Examiner: Unknown

RECEIVED

Filed: May 3, 2001

APR 18 2003

For: **SELECTIVE TELEPHONE BLOCKER**

Technology Center 2600

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service, as First Class mail, with sufficient postage, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

BETTY BERNAL
Name of Person Mailing
Paper

Betty Bernal
Signature

04/11/2003
Date

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT

(37 C.F.R. §1.102 and M.P.E.P. §708.02)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions to make this application special because of actual infringement.

1. Accompanying material

Accompanying this petition is:

- (a) a Statement of Facts in Support of Petition to Make Special Because of Actual Infringement;

and

- (b) a Statement in Support of Petition to Make Special Because of Actual Infringement.

2. Fee (37 C.F.R. §1.17(i))

The fee required is to be paid by:

- ☒ the attached check for \$130.00.
☐ charging Account No. 13-1130 the sum of \$.
A duplicate of this Petition is attached.

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Petition to Make Special
In re application of: Jeffrey N. Weiss
Serial No. 09/848,753
Page 2

Any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,



Daniel S. Polley, Reg. No. 34,902
Malin, Haley & DiMaggio, P.A.
1936 South Andrews Avenue
Fort Lauderdale, Florida 33316
(954) 763-3303

CUSTOMER NO. 22235

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**STATEMENT OF FACTS IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. §708.02)**

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Jeffrey N. Weiss, residing at 7600 Ventura Lake, Parkland, Florida 33067

☒ am the inventor;
☐ have the following interest or relationship to the above-identified invention

and I hereby declare the following:

1. There is an actual infringement of this invention.
2. The ☒ device
☐ product
☐ method

that I allege infringes this invention was recently discovered on sale at Target.

Respectfully submitted,

Date: 4/8/03Jeffrey N. Weiss
JEFFREY N. WEISS, APPLICANT



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Betty Bernal

Signature

4/11/2003

Date

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. §708.02)**

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Jeffrey N. Weiss residing at 7600 Ventura Lake, Parkland, Florida 33067,

☒ am the applicant ☐ assignee ☐ practitioner in this case

and make the following statements:

1. I have made a rigid comparison of the alleged infringing

☒ device
☐ product
☐ method

referred to in my accompanying statement of facts, with the claims of this application.

2. That, in my opinion, at least claims 1 and 17 on file in this application are unquestionably infringed.

In re application of: Jeffrey N. Weiss
Serial No. 09/848,753
Page 2

3. I have

- ☐ made a search of
- ☒ caused to be made a careful and thorough search of the prior art
- ☐ a good knowledge of the pertinent prior art. All such material art is provided to the Examiner as
- ☒ having been filed on the parent application to this application (U.S. Serial No. 09/728,233)
- ☐ being supplemented
- ☐ being filed

in a respective Information Disclosure Statement.

4. That I believe all the claims in this application

- ☒ as on file are allowable
- ☐ as on file resulting from the attached amendment are allowable.

Respectfully submitted,

Date:

4/8/03

Jeffrey N. Weiss
JEFFREY N. WEISS, APPLICANT